

18305 01 003



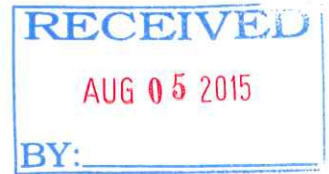
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15BH-VAR 00060

Variance Application

Type	Type of Request: <input checked="" type="checkbox"/> Zoning Variance (Board) <input type="checkbox"/> Sign Variance (Board) <input type="checkbox"/> Variance (Administrative)			
	Applicable Zoning/Sign Code Section: 27-331(b)(1)(a)			
	Nature of Request:	Required:	Proposed:	Minimum Setback Requirements
	<input checked="" type="checkbox"/> Setback	(See Chart to the Right)		Front 35'
	<input type="checkbox"/> Sign			Side
	<input type="checkbox"/> # Parking Spaces			Rear
	<input type="checkbox"/> Other _____			Other
Project	Name of Project/Subdivision: Ashford Park Townhomes			Present Zoning: RM-100
	Property Address/Location: 3564 Ashford Dunwoody Road			
	District: 18	Land Lot: 305 and 302	Block: 01	Property ID: 003
Owner Information	Name: Ashford Apartment Owner, LLC c/o TriBridge Investments, LLC, Managing Member			
	Address: 1575 Northside Dr., Bldg. 100, Ste. 200, Atlanta, GA 30318			
	Phone: 404-367-6063		Fax: 404-242-8399	
	Cell:		Email: JimS@tribridgeresidential.com	
Applicant	Name: TriBridge Residential, LLC c/o Kathryn M. Zickert, Esq.			
	Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, Ga 30309			
	Phone: 404-815-3704		Fax: 404-685-7004	
	Cell:		Email: kmzickert@sgrlaw.com	
Affidavit	To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Brookhaven Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Brookhaven Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included with the Application.			
	Applicant's Name: Kathryn M. Zickert, Esq.			
Notary	Applicant's Signature: <i>Kathryn M Zickert</i>			
	Sworn to and subscribed before me this <i>4th</i> Day of <i>August</i>			
	Notary Public: <i>Shawna E. Avila</i>			
	Signature: <i>Shawna E. Avila</i>			
Office Use	Date: <i>8-4-15</i>			
	Application Received By:		Project Title:	Project Number:
	<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee (\$135 x number required*)—not required for AV <input type="checkbox"/> Legal Fee (\$10)			
	Fee: \$	Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC		Date:
	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Date:	

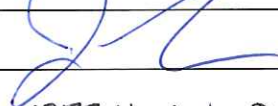

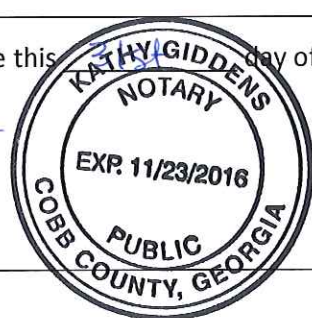


* One sign is required per street frontage and/or every 500 feet of street frontage

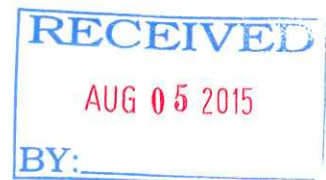
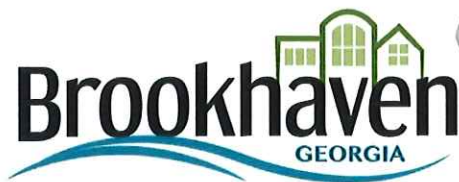


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Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this variance application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for variance(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner	Signature: 	Date: 7-31-15	
	Address: 1575 Northside Dr, Building 100, Suite 200	City, State: Atlanta, Georgia	Zip: 30318
	Phone: (404) 352-2800		
	Sworn to and subscribed before me this 31 day of July, 2015		
Property Owner (If Applicable)	Notary Public: 		
	Signature: 	Date: 	
	Address:	City, State:	Zip:
	Phone:		
Property Owner (If Applicable)	Sworn to and subscribed before me this _____ day of _____, 20____		
	Notary Public:		
	Signature:	Date:	
	Address:	City, State:	Zip:
Phone:			
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			




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Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Brookhaven City Council or a member of the City of Brookhaven Planning Commission?

☐ YES ☒ NO

Applicant / Owner	Signature: 
	Address: 1575 Northside Dr, Building 100, Suite 200 / Atlanta, Georgia 30318
	Date: 7-31-15

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount




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☐ YES ☒ NO

Applicant / Owner	Signature: 
	Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309
	Date: 8/5/15

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount




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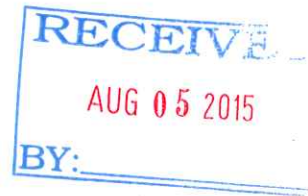
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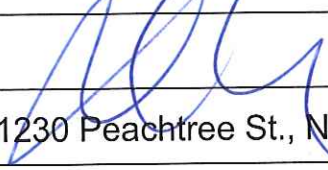


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If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

AUG 05 2015

BY: _____

OVERALL LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 302, AND 305 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE POINT FORMED BY THE THE MITERED INTERSECTION OF THE NORTHERLY R/W OF JOHNSON FERRY ROAD (PUBLIC) (A 100' R/W) AND SOUTHWESTERLY R/W OF ASHFORD DUNWOODY ROAD THENCE NORTH 34 DEGREES 00 MINUTES 49 SECONDS EAST A DISTANCE OF 21.90 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 2741.40 FEET AND A DISTANCE OF 176.03' SAID ARC BEING BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 27 DEGREES 00 MINUTES 24 SECONDS WEST AND A CHORD LENGTH OF 176.00 FEET TO A POINT; THENCE NORTH 23 DEGREES 42 MINUTES 38 SECONDS WEST A DISTANCE OF 30.65 FEET TO A POINT; THENCE NORTH 23 DEGREES 31 MINUTES 38 SECONDS WEST A DISTANCE OF 458.73 FEET TO A POINT; THENCE SOUTH 66 DEGREES 13 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 14.34 FEET TO THE TRUE POINT OF BEGINNING.

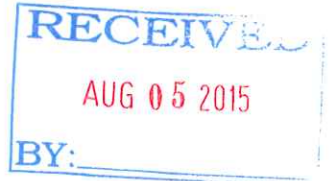
THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND LEAVING SAID RIGHT-OF-WAY OF ASHFORD DUNWOODY ROAD (AN 80' RIGHT-OF-WAY) SOUTH 66 DEGREES 13 MINUTES 22 SECONDS WEST A DISTANCE OF 200.65 FEET TO A POINT; THENCE SOUTH 85 DEGREES 13 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 833.80 FEET TO A POINT; THENCE SOUTH 04 DEGREES 19 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 486.14 FEET TO AN OPEN TOP PIPE FOUND LOCATED ON THE NORTHERN RIGHT-OF-WAY OF JOHNSON FERRY ROAD (A 100' RIGHT-OF-WAY); THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1716.18 FEET AND AN ARC LENGTH OF 986.30 FEET, BEING SUBTENDED BY A CHORD OF NORTH 84 DEGREES 06 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 972.78 FEET ALONG SAID NORTHERN RIGHT-OF-WAY OF JOHNSON FERRY ROAD (A 100' RIGHT-OF-WAY) TO A CRIMP TOP PIPE FOUND; THENCE NORTH 16 DEGREES 48 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 647.98 FEET LEAVING SAID RIGHT-OF-WAY TO AN IRON PIN FOUND; THENCE SOUTH 86 DEGREES 28 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 172.95 FEET TO AN IRON PIN FOUND; THENCE NORTH 03 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 80.02 FEET TO AN IRON PIN FOUND; THENCE SOUTH 86 DEGREES 41 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 07 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 40.00 FEET TO AN IRON PIN FOUND; THENCE SOUTH 86 DEGREES 37 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 453.78 FEET TO AN IRON PIN FOUND; THENCE NORTH 66 DEGREES 53 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 335.02 FEET TO A POINT; THENCE SOUTH 23 DEGREES 06 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 79.86 FEET TO AN IRON PIN FOUND; THENCE NORTH 66 DEGREES 45 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 112.29 FEET TO AN IRON PIN FOUND; THENCE SOUTH 21 DEGREES 27 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 19.79 FEET TO AN IRON PIN FOUND; THENCE NORTH 67 DEGREES 17 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 40.22 FEET TO A POINT; THENCE NORTH 39 DEGREES 37 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 155.06 FEET TO A POINT; THENCE NORTH 60 DEGREES 32 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 296.58 FEET TO A POINT LOCATED ON THE SOUTHWESTERLY LINE OF RIGHT-OF-WAY OF ASHFORD DUNWOODY ROAD (AN 80' RIGHT-OF-WAY); THENCE ALONG SAID SOUTHWESTERLY LINE OF RIGHT-OF-WAY OF ASHFORD DUNWOODY ROAD SOUTH 26 DEGREES 27 MINUTES 37 SECONDS EAST A DISTANCE OF 35.84 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 3292.10 FEET AND AN ARC LENGTH OF 185.22 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 24 DEGREES 50 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 185.20 FEET TO A POINT; THENCE NORTH 67 DEGREES 22 MINUTES 25 SECONDS EAST A DISTANCE OF 15.27 FEET TO A POINT; THENCE SOUTH 22 DEGREES 20 MINUTES 44 SECONDS EAST A DISTANCE OF 165.63 FEET TO A POINT; THENCE SOUTH 22 DEGREES 20 MINUTES 38 SECONDS WEST A DISTANCE OF 20.78 FEET TO A POINT; THENCE SOUTH 22 DEGREES 27 MINUTES 27 SECONDS EAST A DISTANCE OF 82.60 FEET TO THE TRUE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 23.14 ACRES.

THE ABOVE REFERENCED LEGAL DESCRIPTION AND PROPERTY SURVEYED HEREIN IS ONE IN THE SAME AS SHOWN IN THE TITLE COMMITMENT PREPARED BY STEWART TITLE GUARANTY COMPANY UNDER FILE NO. MODGA-055181, WITH AN EFFECTIVE DATE OF SEPTEMBER 8, 2009 AND IS THE SAME PROPERTY DESCRIBED HEREIN AS TRACT I AND TRACT II.



FEE:



PRE-APPLICATION FORM
LAND USE PETITIONS AND VARIANCE PETITIONS

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Department by calling (404) 637 - 0500. This form will be completed during the pre-application meeting, and must be submitted at the same time you submit your application in order for your submittal to be deemed complete.

Applicant Name: ASHTON WOODS / TRI BRIDGE Phone: _____

Applicant E-mail: _____ Fax: _____

Representative Name: KADLY ZICKERT Phone: 4 815 3558

Representative E-mail: KZICKERT@SGRLAW.COM Fax: _____

Site Address: 3504 ASHFORD DUNWOODY Parcel Size: 4±

Tax Parcel #: 18 305 01 003 City Council District: 1-JONES

Existing Zoning and Case Number: RM-100 Proposed Zoning: _____

Comprehensive Plan Character Area Map Designation: BLACKBURN PARK NEIGHBORHOOD

Application Type: ☐ Rezoning ☐ Special Land Use Permit ☒ Variance ☐ Special Exception

Variance Type: ☐ Administrative ☒ Zoning Board of Appeals ☐ Stream Buffer

Overlay District: ☐ Brookhaven-Peachtree Subarea I ☐ Brookhaven-Peachtree Subarea II

Additional Studies: ☐ Trip Generation Report ☐ Traffic Impact Study
☐ Development of Regional Impact Review ☐ Environmental Impact Review

Proposal Description: REDUCE FRONT SETBACK 35' TO
20' FOR CONSTRUCTION OF A TOWNHOME
DEVELOPMENT.
30' D PLAT REQUIRED

Applicant Signature: _____ Date: _____

Planner Signature: P. Ruffin Date: 07/31/15